



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

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DATE:

JUN 28 1995

SUBJECT:

Request for a Removal Action at the Quest Property Site, Ringwood, Bergen County, New Jersey -
ACTION MEMORANDUM

FROM:

Carl R. Pellegrino, On-Scene Coordinator *Bruce Sprague (for)*
Response and Prevention Branch

TO:

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

THRU:

Richard C. Salkie, Associate Director for *Bruce Sprague (for)*
Removal and Emergency Preparedness Programs

site ID No.: EK

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of a proposed removal action to be conducted at the Quest Property Site, located on Margaret King Ave, Ringwood, Bergen County, New Jersey.

On July 7, 1994, the United States Environmental Protection Agency (EPA) received a request from the New Jersey Department of Environmental Protection (NJDEP), Bureau of Emergency Response, to consider the Quest Property Site, Ringwood, NJ, for an emergency removal action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The property had been the site of an illegal dumping incident, alleged to have occurred during the week of June 27, 1994. On July 12, 1994, EPA responded to this request to conduct a release investigation and preliminary assessment to determine whether the site met the criteria for a removal action under (CERCLA) as amended by 42 U.S.C. § 9601 et. seq.

On July 5, 1994, a partner of the ownership partnership of the property discovered pools of unidentified waste material in each of two depressions of about 15 feet in diameter. The parcel is owned by Quest Partnership.

A partner of Quest notified Passaic Health Department, which in turn, notified NJDEP. On July 6, 1994, Quest hired a contractor to pump the contents of the two depressions into drums. Twenty-seven (27) 55-gallon drums of material were removed from the two depressions and staged on-site. Following the removal of free liquids, groundwater infiltrated the depressions, recontaminating with material leached from the soil. This material was observed during the release investigation on July 12, 1994.

This site is not on the National Priorities List (NPL) and there are no nationally significant or precedent-setting issues associated with this site.

II. SITE CONDITIONS AND BACKGROUND

A. Site Description

1. Removal Site Evaluation

On July 13, 1994, EPA returned to the site to conduct a removal site evaluation, consisting of sampling for field hazard categorization and conducting a soil gas monitoring survey to determine the extent of subsurface contamination. The removal site evaluation revealed that bulk liquid material was disposed of into two unlined depressions by an unknown entity, which are recharged by the local groundwater. The depressions are within 200 feet of a surface water stream, which is a tributary to the Wanaque Reservoir, a drinking water source. Hazard categorization testing of samples from the drums and from the left depressions, resulted in a positive for flammability. Testing of samples taken from the right depressions and from the drums on the right side, resulted positive for peroxide and hexane solubility.

Based on these positive field hazard categorization tests, EPA developed a sampling plan and returned to the site to conduct sampling of the materials on July 21, 1994. Samples taken on that date were analyzed for all the chemicals on the Target Analyte List (TAL) and the Target Compound List (TCL), as well as the Resource Conservation and Recovery Act (RCRA) characteristics of ignitability, corrosivity, and reactivity.

2. Physical Location

The Quest Property Site is a 3½ acre parcel located on Margaret King Avenue, Ringwood, within the watershed for the Wanaque Reservoir and within 1.5 miles of the Ringwood Mines Superfund Site.

3. Site Characteristics

The parcel of property is cleared of trees and brush. The property slopes back from the road at about a 5 degree grade. The depressions are located approximately 150 feet from the road. The property extends back another 200 feet to a stream which discharges to the Wanaque Reservoir. The area is mainly rural/light industrial.

4. Release or threatened release into the environment of a hazardous substance, pollutant or contaminant

Laboratory analysis determined that the drummed liquid materials and staged soils on the site contained designated CERCLA hazardous substances. The following materials have been identified through laboratory analysis:

Substance	Statutory Source for Designation as a Hazardous Substance under CERCLA
Acetone	CERCLA Section 101 (14), RCRA Section 3001
2-Butanone	CERCLA Section 101 (14), RCRA Section 3001
Chloroform	CERCLA Section 101 (14), CWA Sections 311(b)(4) and 307(a), RCRA Section 3001
Methylene Chloride	CERCLA Section 101 (14), CWA Section 307(a), RCRA Section 3001
Toluene	CERCLA Section 101 (14), CWA Sections 311(b)(4) and 307(a), RCRA Section 3001
Xylene	CERCLA Section 101 (14), CWA Section 311(b)(4), RCRA Section 3001

Acetone, 2-butanone, and xylene are moderately toxic materials by inhalation and ingestion, and flammable in liquid form.

Toluene is a suspected carcinogen, poisonous by ingestion, a skin and eye irritant.

Chloroform is a suspected carcinogen, poisonous by ingestion or inhalation.

Methylene Chloride is poisonous by ingestion, moderately toxic by inhalation, and there is also evidence to support mutagenic properties.

5. NPL Status

This site is not on, nor is proposed for inclusion on, the NPL.

B. Other Actions to Date

No previous activity, prior to the initial notification and subsequent removal site evaluation, has been known to occur at the site.

2. Current Actions

Following the removal site evaluation conducted on July 13, 1994, EPA On-Scene Coordinator determined that the conditions present warranted an emergency action due to the imminent and substantial danger to the public health or welfare based upon the existence of hazardous substances at the site. This determination was based upon the information available, and necessitated timely stabilization to minimize the spread of any possible contamination. Subsequently, an Administrative Order on Consent (AOC) for the stabilization of materials was negotiated with the property owner. The AOC was signed by Respondent on July 26, 1994, and by the Acting Regional Administrator on July 28, 1994.

The property owner mobilized a contractor to the site on August 8-9, 1994, to undertake stabilization activities in accordance with the AOC. During this period, free liquid was pumped from the depressions into 20 segregated 55 gallon drums. Approximately 35 cubic yards of contaminated soil was excavated from around the depressions and staged on site on 6 mil poly-lined bermed staging areas. The excavated depressions were lined and backfilled with crushed stone to ground level. Perimeter fencing was erected around excavated and staging areas, and warning signs were posted. A bollard and chain gate was installed to restrict vehicular traffic on site. Upon completion of field activities, the site was considered to be in a stabilized condition.

C. State and Local Authorities' Roles

1. State and Local Actions to Date

NJDEP was notified of the original discovery of the incident by the Passaic County Health Department (PCHD). On July 11, 1994, NJDEP notified EPA of the incident at the Quest property. Response and Prevention Branch responded on July 12, 1994, along with NJDEP and PCHD. On that date, NJDEP requested EPA assistance in the removal of materials at the Quest property.

2. Potential for Continued State/Local Response

Both NJDEP and PCHD have indicated that they do not have the resources to conduct the necessary removal action at the Quest property site.

III. THREAT TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT. AND THE STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

The primary threat posed by the stabilized materials are by direct human contact. Although reasonable stabilization activities have taken place by the property owner under the AOC, the materials are nevertheless staged in drums and on polypropylene liners on an open lot. Although vehicular access to the materials has been minimized, access by foot is still very possible. The site is fenced and posted as containing hazardous substances.

B. Threats to the Environment

The site is not enclosed, and materials are currently staged within 200 feet of a tributary to the Wanague Reservoir. The materials staged on site are also subject to ambient climatic conditions.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances, from this site, if not addressed by implementing the response action selected in this action memorandum, may present an imminent and substantial endangerment to public, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Action

1. Proposed Action Description

The objective of this removal action is to eliminate the continued threat of release of hazardous substances, the potential for direct human contact, and any on-site releases which may occur at the site. This action would involve the following:

- perform disposal analysis for the stabilized materials.
- conduct soil sampling to verify that all contamination is removed.
- transport and dispose of all hazardous substances to a RCRA approved disposal facility with EPA's CERCLA off-site disposal policy.

2. Contribution to Remedial Performance

This removal action will completely remediate this site, and as such, no long term remedial measures will be required.

3. Applicable and Relevant and Appropriate Requirements (ARARs)

ARARs within the scope of this project, including RCRA, CERCLA, and Department of Transportation regulations, that pertain to the transportation and disposal of these hazardous substances, pollutants, and/or contaminants at this site, will be met to the extent practicable.

4. Project Schedule

This removal action will commence within one week of approval of this action memorandum and disposal will occur shortly thereafter.

B. Estimated Costs

1. Extramural Costs:

(Total ERCS costs including:
labor, equipment, materials,
transportation, and disposal.
also includes 20% contingency) \$35,000

Other extramural costs not funded from the Regional Allowance

TAT costs \$ 7,000

TOTAL EXTRAMURAL COSTS \$42,000

2. Intramural Costs:

Intramural Direct Costs \$ 3,000

Intramural Indirect Costs \$ 6,000

TOTAL REMOVAL PROJECT CEILING \$51,000

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

The conditions at this site, if not addressed by the execution of these actions immediately, may present an imminent and substantial endangerment to the public through their potential exposure through their hazardous substances on the site.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this removal action.

VIII. ENFORCEMENT

The party responsible for the dumping incident is unknown. A criminal referral to the EPA Criminal Investigation Division has resulted in no leads to pursue in identification of the perpetrator of the dumping incident. If any potentially responsible parties (PRP) become known concerning this release of hazardous substances, appropriate enforcement activities will be pursued.

IX. RECOMMENDATION

This decision document, documents the selected removal action chosen for the Quest Property Site located in Ringwood, New Jersey. This document was developed in accordance with CERCLA, as amended, and is not inconsistent with the National Contingency Plan (NCP).

This decision is based on the Administrative Record for the Site. Conditions at the Site meet the criteria for a removal action pursuant to Section 300.415 (b)(2) of the NCP. The total project ceiling is \$51,000, of which \$35,000 comes from the Regional Advice of Allowance.

Please indicate your approval and authorization of funding, as per current delegation of authority, by signing below.

Approval:


Kathleen C. Callahan, Director
Emergency and Remedial Response Division

DATE: 7/5/95

Disapproval:

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

DATE: _____

cc: (after approval is obtained)

W. Muszynski, 2DRA
K. Callahan, 2ERRD
G. Pavlou, 2ERRD
R. Salkie, 2ERRD-ADREPP
B. Sprague, 2ERR-RPB
D. Kodama, 2ERR-RPB
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